

# APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

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| <b>APPLICATION REFERENCE:</b>   | PL/2026/02470                                                             |
| <b>APPLICATION TYPE:</b>        | Prior approval Part 1 Class A.1(ea): Larger home extension                |
| <b>SITE ADDRESS:</b>            | 21 Harvard Way, Amesbury, Salisbury, SP4 7XE                              |
| <b>DEVELOPMENT DESCRIPTION:</b> | Proposed single storey rear extension. 4.625m(D) x 7.203m(W) x 3.148m(H). |
| <b>RECOMMENDATION:</b>          | <b>Prior Approval Not Required</b>                                        |

## PROPOSAL

This application proposes to erect a single storey rear extension to a mid-terrace dwelling. The dimensions of the rear extension indicate that the rear extension would measure approximately 4.725 metres in length from the existing rear elevation of the host dwelling and will be 7.203 metres in width, 2.965 metres in height to the parapet roof and 3.148 metres in height to the ridge of the proposed rooflights.

The notification is submitted under Class A, A.4 (larger home extension scheme), of Part 1, Schedule 2, of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Under the prior approval procedure, Class A.4 (2) requires the submission of certain information to be provided to the local planning authority. The applicant in this case has submitted more than the minimum requirement and has provided existing and proposed elevations and floor plans together with the location/ site plan required.

## SITE DESCRIPTION/CONTEXT

The site comprises a two-storey mid terrace dwelling located within the settlement boundary of Amesbury which is defined as a Market Town by Wiltshire Core Strategy (WCS) policies CP1, CP2 and CP4. The site is located in Flood Zone 1 and not at risk of groundwater or surface water flooding according to the Strategic Flood Risk Assessment. While the application site is situated within the Hampshire River Avon Catchment this ecological designation has no implication to this householder planning permission due to the nature of the proposed work and application. The site is located adjacent to the highway on the west and is bordered by residential dwellings on the north, south and east.

## PLANNING HISTORY

S/1995/1264 - Residential development, open space and relief road, Phase 1 - Approve with Conditions

S/1996/1899 - Erection of 78 dwellings and garages, roads and sewers - Approve with Conditions

S/1989/0226 – O/L application - Residential development and associated services and landscaping and construction of new link road between A345 and Boscombe road - Refused

S/1997/0601 - Construction of 15 houses and 2 flats with associated car parking - Approve with Conditions

S/1997/1048 - Erection of a non-illuminated hoarding at Allington Way - Approve with Conditions

S/1996/0052 - Residential development to provide 223 dwellings, open space and relief road, Phase 1 - Approve with Conditions

S/1996/0654 - Construction of new junction and length spine road to serve new residential development and car parking to existing shops - Approve with Conditions

There are no records of any planning applications that have previously been submitted for works at the application site.

### ISSUES

The relevant legislation is Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (henceforth 'the GDPO').

### CONSULTATION

The application was publicised by direct neighbour letters. One representation letter has been received, which raised concerns regarding the correctness of the deeds and ownership as demonstrated by the submitted red line boundary and any possible overhang of eaves or guttering of the proposed extension to the boundary of the neighbouring dwelling.

### ASSESSMENT

Class A.1 (Schedule 2) of the GDPO allows in principle rear extensions of up to 6m in depth for semidetached and terraced dwellings. That Class of the GDPO sets out specific physical limitations with which proposed larger extensions must comply. Of relevance to this application are the following:

A.1 Development is not permitted by Class A if—

|     |                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                          |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) | permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);                                                                                                     | The dwellinghouse was built as a dwellinghouse and not subject to change of use.                                                                                                                                                         |
| (b) | as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); | <p>The total site area (curtilage less dwelling as originally built) is 239.34 sq m.</p> <p>50% of 239.34 = 110.67 sq m.</p> <p>Previous extensions (None) plus proposed extension = 33.3 sq m.</p> <p>This is less than 110.67 sq m</p> |

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| (c) | the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;                                                                                                                                                                                                                     | The single storey extension would not exceed the height of the existing two storey dwelling.                                                                                                                                                                                                 |
| (d) | the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;                                                                                                                                                                                                                           | The eaves of the single storey extension would not exceed the height of the eaves of the existing two storey dwellinghouse.                                                                                                                                                                  |
| (e) | the enlarged part of the dwellinghouse would extend beyond a wall which—(i) forms the principal elevation of the original dwellinghouse; or(ii) fronts a highway and forms a side elevation of the original dwellinghouse;                                                                                                                                                           | The extension is proposed to be sited to the rear elevation of the dwellinghouse. This is not forward of the principal elevation.                                                                                                                                                            |
| (f) | subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or(ii) exceed 4 metres in height;                                                                   | See below                                                                                                                                                                                                                                                                                    |
| (g) | for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or(ii) exceed 4 metres in height; | The application site is not located within article 2 (3) land nor on a SSSI. The proposed extension extends by approximately 4.725 beyond the rear wall of the original dwelling house, with a height of 3.148m to the ridge of the rooflights and height to the parapet wall circa 2.965 m. |
| (h) | the enlarged part of the dwellinghouse would have more than a single storey and—(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;                                                           | N/A (the extension would not have more than a single storey).                                                                                                                                                                                                                                |
| (i) | the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;                                                                                                                                                                                       | The proposed extension would be within 2m of the boundary but would not exceed 3m in eaves height. The height of the parapet wall is proposed to be 2.965m.                                                                                                                                  |

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| (j)  | the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would— (i) exceed 4 metres in height,(ii) have more than a single storey, or(iii) have a width greater than half the width of the original dwellinghouse; or                                                            | The proposed extension does not project beyond a wall forming a side elevation of the dwellinghouse. |
| (ja) | any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (e) to (j);                                                                                                                               | The limits set out at (e) to (j) would not be exceeded                                               |
| (k)  | it would consist of or include—(i) the construction or provision of a verandah, balcony or raised platform,(ii) the installation, alteration or replacement of a microwave antenna,(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or(iv) an alteration to any part of the roof of the dwellinghouse.; or | N/A                                                                                                  |
| (l)  | the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)                                                                                                                                                                                                                                                        | N/A                                                                                                  |

From the above it can be confirmed that the proposed extension complies with the physical limitations set out under Section A.1 of Class A.

In the case of A.2, the dwellinghouse is not located on article 2(3) land so this section does not apply.

In the case of A.3, paragraph (a) requires that the exterior work must be of a similar appearance to that used for the existing dwellinghouse. The submitted documents indicate that all materials used in any exterior work is to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse and that all glass is to be obscurely glazed.

Paragraph (b) relates only to two-storey extensions and thus does not apply in this instance. Section A.4 sets out the process for 'larger home extensions', with paragraph A.4(7) stating that:

*“(7) Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.”*

## Amenity

In this instance, one comment from the neighbouring dwelling has been received and under the provisions of the Class, Prior Approval of the local planning authority is required.

Paragraph A.4(9) requires that where any objection has been received, the local planning authority must: *“consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations”* (9)(b). As such, consideration as to the impact on amenity arising from the proposed extension on *any* adjoining premises is required.

Wiltshire Core Strategy Core Policy 57 (vii) requires that proposals should make a positive contribution to the character of Wiltshire through *“vii) having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution.”*

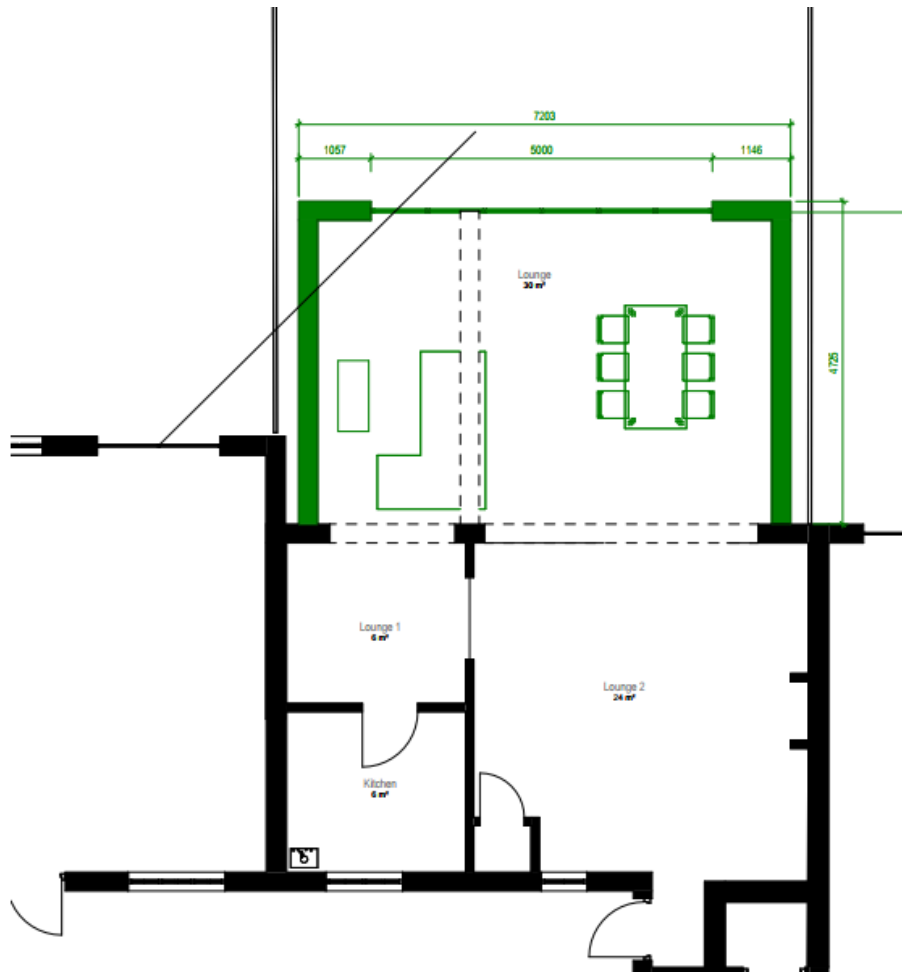
First, it is relevant that limb (f) of Paragraph A.1 would appear to allow for a 3m rear extension without any need for Prior Approval from the local planning authority. As such, consideration regarding acceptability essentially rests on the additional 3m which can be added under limb (g), subject to the Prior Approval process.

The proposed extension is located to the rear of the property and is limited to single-storey in height. At 4.725m in length and 3.148 m in height to the ridge of the rooflights and 2.965 to the parapet, being a mid-terrace dwelling the proposed rear extension would be in close proximity to the boundary fence of No. 19 to the north and No.23 to the south.

While it is noted that the proposed rear extension is in close proximity to the neighbouring dwellings, the extension is proposed to be single storey. As such the height of the extension is considered to be subservient to the host dwelling and the neighbouring dwellings. The height of the extension is minimally taller than existing boundary treatments between the dwellings. There are no proposed side elevation windows as part of this application, as such in terms of overlooking it is not considered that the extension would overlook the neighbouring dwellings. The window on the rear elevation is single storey and faces the rear garden of the application site. Any oblique views from the proposed rear window would be single storey and minimal in nature due to the existing boundary fences. Additionally, the application site is located within an established residential area in close proximity to each other where a level of intervisibility is established between dwellings.

The neighbouring dwelling highlighted concerns regarding the overhanging eaves and guttering to their property. The proposed massing of the extension will be a flat roof with a parapet wall, the guttering and eaves of the proposed extension will be within the boundary of the application site. Therefore there is no concern of overhanging eaves or guttering of the proposed extension to the neighbouring dwelling despite the close proximity to the boundary of the rear extension.



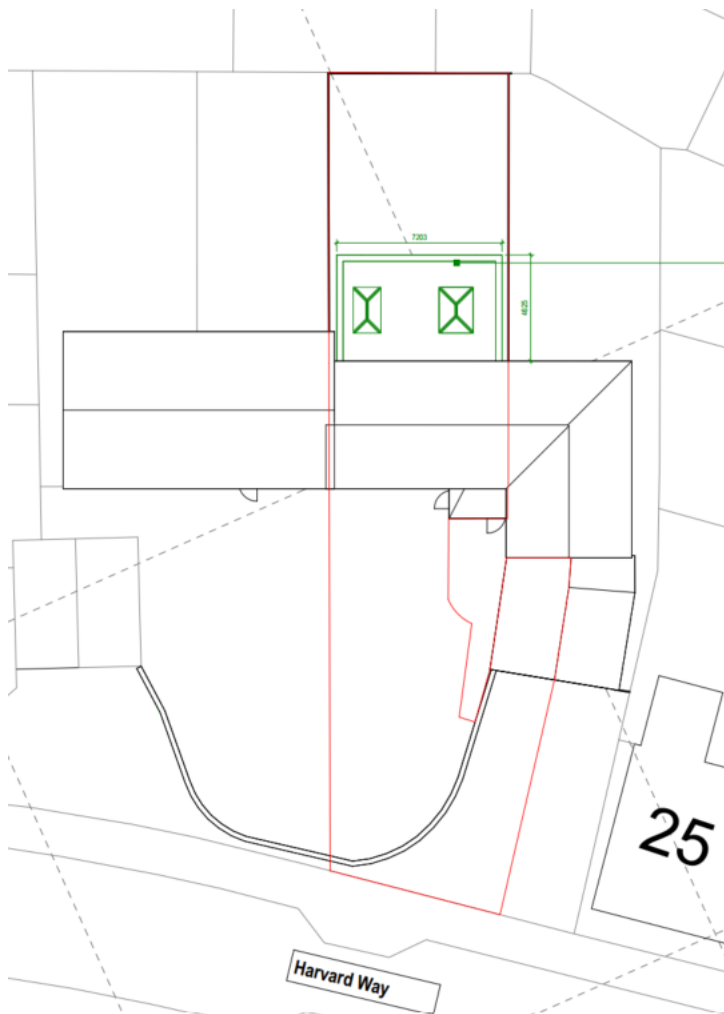


### Other Matters

The neighbouring dwelling's comment highlighted that the red line boundary submitted did not match the ownership deeds, specifically the red line boundary has included the hallway behind the front door of the neighbouring property which the neighbouring property considers to be under their ownership.

While it is noted that the red line boundary has been erroneously drawn on the submitted plans, the nature of this application being a prior notification application means that the red line boundary provided is for identification purposes only. A planning application would require the applicant to serve notice to the owner of land within the red line boundary as part of the planning application process. However, as this is a prior notification application the process is different. Additionally, the area of error on the red line boundary is to the front of the application site, this does not impact the proposed rear extension associated with this application

Notwithstanding this, prior approval does not indicate that the area is owned by the applicant, additionally, this does not provide any rights to the land or works to be undertaken under area not under their ownership.



## CONCLUSION

Paragraph A.4 requires that where any objection has been received – as in this case a comment has been received – the impact on amenity of all adjacent premises should be considered. An amenity assessment has been undertaken; it is concluded that the impacts on amenity of immediate neighbours are acceptable and would not warrant a reason for refusal in this instance.

**RECOMMENDATION: That Prior Approval is Approved.**